

BUSINESS REPORT

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

SENATE NATURAL RESOURCES COMMITTEE

Date: Wednesday, March 18, 2009
Place: Capitol

Time: 3:00 pm
Room: 422

BILLS and RESOLUTIONS HEARD:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

HB 593 BCAA _____

HB 557 motions withdrawn _____

HJ 4 motions withdrawn _____

SB 502 DPAA _____

COMMENTS:

Kelly Gebhardt

SEN. Kelly Gebhardt, Chairman

MONTANA STATE SENATE
Roll Call
NATURAL RESOURCES COMMITTEE

DATE: March 18 2009

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR KELLY GEBHARDT, CHAIR	✓	
SENATOR DEBBY BARRETT, VICE CHAIR	✓	
SENATOR AUBYN CURTISS	✓	
SENATOR KEN HANSEN	✓	
SENATOR CHRISTINE KAUFMANN	✓	
SENATOR JIM KEANE		E
SENATOR GARY PERRY	✓	
SENATOR JIM PETERSON		E
SENATOR DONALD STEINBEISSER		E
SENATOR MITCH TROPILA		E
SENATOR DAVID WANZENRIED	✓	



SENATE STANDING COMMITTEE REPORT

March 18, 2009

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Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 502** (first reading copy -- white) **do pass as amended.**

Signed: Kelly Gebhardt
Senator Kelly Gebhardt, Chair

And, that such amendments read:

1. Title, page 1, line 9.

Strike: the second "AND"

2. Title, page 1, line 10.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 6.

Following: line 4

Insert: "NEW SECTION. **Section 6. Effective date.** [This act] is effective on passage and approval."

- END -

Committee Vote:

Yes 11, No 0

Fiscal Note Required ____

SB0502001SC.sdr

DR



SENATE STANDING COMMITTEE REPORT

March 19, 2009

Page 1 of 2

Mr. President:

We, your committee on **Natural Resources** recommend that **House Bill 593** (third reading copy -- blue) **be concurred in as amended.**

Signed: Kelly Gebhardt
Senator Kelly Gebhardt, Chair

To be carried by Senator Jim Keane

And, that such amendments read:

1. Title, page 1, line 5.

Strike: "AND TIMELINES"

2. Title, page 1, line 7.

Following: "REQUIREMENTS;"

Insert: "AMENDING SECTION 75-1-110, MCA;"

3. Page 1, line 22.

Strike: "time"

4. Page 1, line 24 through line 30.

Strike: ":" on line 24 through "as" on line 30

Insert: "in accordance with a schedule"

5. Page 2, line 1.

Strike: "for" through "material"

6. Page 2, line 3.

Following: "[section 7]"

Insert: "and subsection (2) of this section"

7. Page 2.

Following: line 5

Insert: "(2) (a) The requirements of subsection (1) may be waived

Committee Vote:

Yes 11, No 0

Fiscal Note Required ☐

when, after review of an application by a person undertaking a remedial action, the department finds that the remedial action plan complies with Title 75, chapters 2, 5, and 10, and applicable rules.

(b) The person conducting the remedial action shall reimburse the department for costs incurred by the department under this section.

(c) Reimbursements must be deposited in the environmental rehabilitation and response account provided for in 75-1-110."

Renumber: subsequent subsection

8. Page 3.

Following: line 12

Insert: "Section 8. Section 75-1-110, MCA, is amended to read:

"75-1-110. Environmental rehabilitation and response account. (1) There is an environmental rehabilitation and response account in the state special revenue fund provided for in 17-2-102.

(2) There must be deposited in the account:

(a) fine and penalty money received pursuant to 75-10-1223, 82-4-311, and 82-4-424 and other funds or contributions designated for deposit to the account;

(b) reimbursements received pursuant to [section 3];

~~(b)~~ (c) unclaimed or excess reclamation bond money received pursuant to 82-4-241, 82-4-311, 82-4-424, and 82-4-426; and

~~(c)~~ (d) interest earned on the account.

(3) Money in the account is available to the department of environmental quality by appropriation and must be used to pay for:

(a) reclamation and revegetation of land affected by mining activities, research pertaining to the reclamation and revegetation of land, and the rehabilitation of water affected by mining activities;

(b) reclamation and revegetation of unreclaimed mine lands for which the department may not require reclamation by, or obtain costs of reclamation from, a legally responsible party;

(c) remediation of sites containing hazardous wastes or hazardous substances for which the department may not recover costs from a legally responsible party; or

(d) response to an imminent threat of substantial harm to the environment, to public health, or to public safety for which no funding or insufficient funding is available pursuant to 75-1-1101.

(4) Any unspent or unencumbered money in the account at the end of a fiscal year must remain in the account until spent or appropriated by the legislature."

Renumber: subsequent sections

- END -

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from NATURAL RESOURCES Committee
because of other commitments. I desire to leave my proxy vote with:

SEN. KEN HANSON

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
<u>SB 593</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
<u>Amend SB 593</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
<u>Amend SB 593</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
<u>HB 557</u>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
<u>Amend SB 593</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
<u>Amend 140 days</u>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
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Sen. M. [Signature]
(Signature)

Date 3-19-09

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Natural Resources Committee
because of other commitments. I desire to leave my proxy vote with:

WENZELRIED

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE

NO

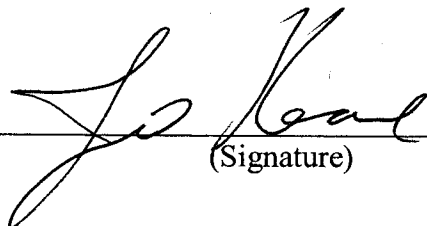
HB 593 - amended	✓	
Amend 59302	✓	
Amend 59301	✓	
SB 502	✓	
Amend 50201	✓	

BILL/AMENDMENT

AYE

NO

sen.


(Signature)

Date 03-18-09